



Application for Licence Amendment

Part V Division 3 of the *Environmental Protection Act 1986*

Licence Number	L9245/2020/1
Licence Holder	Nutrien Ag Solutions Limited
ACN	008743 217
File Number	DER2020/000167
Premises	<p>Nutrien Ag Solutions Fertiliser Pty Ltd</p> <p>12 Allnut Court</p> <p>DAVENPORT WA 6230</p> <p>Legal description –</p> <p>Lot 2 on Deposited Plan 90542</p> <p>Certificate of Title Volume 2078 Folio 199</p> <p>As defined by the Premises map attached to the Revised Licence in Schedule 1</p>
Date of Report	15/06/2022
Decision	Revised licence granted

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1. Decision summary

This Amendment Report documents the assessment of potential risks to the environment, amenity, and public health from proposed changes to the emissions and discharges during the operation of the premises. As a result of this assessment, the delegated officer has determined to grant the requested changes to the business and premises names and changes to operational hours.

Furthermore, in revising the licence, the CEO has corrected clerical mistakes and unintentional errors and not undertaken any additional assessment of the premises related to the previous assessment.

The revised licence issued because of this amendment, supersedes the existing licence previously granted in relation to the premises. The revised licence approval has been granted with existing conditions being transferred, but not reassessed.

2. Scope of assessment

2.1 Regulatory framework

In completing the assessment documented in this Amendment Report, the department has considered and given due regard to its Regulatory Framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

2.2 Background

Licence L9245/2020/1 is held by Nutrien Ag Solutions Limited (licence holder), for the Nutrien Ag Solutions Fertiliser Pty Ltd – Bunbury (the premises), located at 12 Allnut Court Davenport, Western Australia.

The premises lies approximately 3.5 km southeast of the Bunbury town centre, within the light industrial area of Davenport. The existing licence was issued under category 33 – chemical blending or mixing on 15 June 2020, with an assessed production throughput of not more than 18,000 tonnes per annual period

The premises contains a bunded enclosed shed for chemical / fertiliser operations, a weigh bridge and stormwater basins. The operations at the premises consist of the handling, storage and blending of bulk fertiliser including:

- receipt of bulk fertiliser via road transport;
- storage of bulk fertiliser product;
- blending of various fertilisers;
- dispatch of bulk fertiliser either blended or unblended via road transport, and.
- bagging and dispatch of bagged fertiliser products (25kg, 500kg and 1000 kg bags).

2.3 Application summary

On 26 October 2021, the licence holder submitted an application to the department to amend licence L9245/2020/1 under section 59 and 59B of the *Environmental Protection Act 1986* (EP Act). The following amendments are being sought:

- 39% increase in production throughput (from the currently approved 18,000 tonnes to 25,000 tonnes per annual period.
- One hour per day increase in operating hours
- Change of premises name from Landmark Fertiliser Bunbury to Nutrien Ag Solutions

Fertiliser Pty Ltd.

- Change in licence holder name from Landmark Operations Limited to Nutrien Ag Solutions Limited (no change in ACN)

The licence holder on the 14 June 2022 withdrew their amendment to increase fertiliser production throughput. This will not be further assessment within this Amendment Report. The delegated officer considers that the name changes do not change the existing emissions, receptors, or pathways. Therefore, the delegated officer considers that the existing risk profile has not changed, and these amendments do not require further risk assessment. However, the proposed change to operational hours has the potential to increase the emissions risk profile of the premises and therefore this aspect of the application has undergone a risk assessment (see section 3)

2.4 Operational compliance and monitoring

The licence holder has submitted Annual Environmental Reports (AER) and Annual Audit Risk assessment

The department assesses the risks of emissions from prescribed premises and identifies the potential source, pathway and impact to receptors in accordance with the *Guideline: Risk assessments* (DWER 2020).

To establish a Risk Event there must be an emission, a receptor which may be exposed to that emission through an identified actual or likely pathway, and a potential adverse effect to the receptor from exposure to that emission.

2.5 Source-pathways and receptors

2.5.1 Emissions and controls

The key emissions and associated actual or likely pathway during premises operation which have been considered in the existing licence are outlined in Table 1.

The licence holder has not proposed any new or additional emission controls for the amendment application to increase operational hours. The table below outlines the existing licence controls, which if strictly complied with, should prevent the increase in noise emission from the operations.

Table 1: Existing licence controls

Emission	Sources	Potential pathways	Existing regulatory controls (Condition 1 Table 1 Infrastructure and equipment requirements)
Noise	Operation of the fertiliser blending and packaging equipment, and vehicle movement.	Air/windborne pathway to human receptors working or residing off-site	<ul style="list-style-type: none">• Shed doors closed at all times when operating the blending and/or bagging equipment.• Equipment to be fitted with noise attenuation devices to minimise noise emissions.• Limited hours of operation from 7am to 5.30pm Monday – Saturday.• Perform regular inspection and maintenance of vehicles and equipment.• Trucks, front end loaders and forklifts are driven by licensed operators in a

Emission	Sources	Potential pathways	Existing regulatory controls (Condition 1 Table 1 Infrastructure and equipment requirements)
			responsible manner to ensure that noise emissions are minimised.

2.5.2 Receptors

In accordance with the *Guideline: Risk assessments* (DWER 2020), the delegated officer has excluded employees, visitors, and contractors of the licence holders from its assessment. Protection of these parties often involves different exposure risks and prevention strategies and is provided for under other state legislation.

Table 2 below provides a summary of potential human receptors that may be impacted because of activities upon or emission and discharges from the prescribed premises (*Guideline: Environmental siting* (DWER 2020)).

Table 2: Sensitive human receptors and distance from prescribed activity

Human receptors	Distance from prescribed activity
Residential area	200 m southwest of the premises boundary
Residential area	450 m northwest of the premises boundary
Industrial area	Adjacent on the north, west and eastern sides of the premises boundary

2.6 Risk ratings

Risk ratings have been assessed in accordance with the *Guideline: Risk Assessments* (DWER 2020) for those emission sources which are proposed to change and considers potential source-pathway and receptor linkages as identified in Section 2.5.

The licence holder has not proposed any additional mitigation measures/controls (as detailed in Section 2.5) to accompany this application to increase hours of operation. The existing licence controls have been considered when determining the final risk rating. Additional regulatory controls or refusal may be imposed where the licence holder's controls are not deemed sufficient. Where this is the case the need for additional controls or refusal will be documented and justified in Table 3.

The conditions in the revised licence have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

Table 3. Risk assessment of potential emissions and discharges from the premises during operation

Risk Event				Risk rating ¹ C = consequence L = likelihood	Conditions ² of licence	Justification for decision and /or additional regulatory controls
Source / Activities	Potential emission	Potential pathways and impact	Receptors			
Operation						
Receipt, storage, and dispatch of bulk fertilisers; blending / mixing and packaging of fertiliser products; and vehicle movements.	Noise	Air/windborne pathway causing impacts to amenity of people working in adjacent industrial sites	Residential premises located 220m southwest of the premises. Industrial lots adjacent to premises.	C = Slight Minimal impact to amenity. L= Unlikely The risk event will probably not occur in most circumstances. Low Risk Acceptable, generally not controlled.	Existing condition 1 Limited operational hours, mechanical equipment fitted with noise attenuation devices	The delegated officer considered the existing controls including limited operational hours and noise attenuation devices on mechanical equipment and determined that there was a low risk of noise that may cause amenity impacts to offsite receptors within the operational proximity. The delegated officer considered that the increase of operations by one hour per day did not increase the risk and were managed within the applicants existing infrastructure and operational controls. Furthermore, the delegated officer considered that the <i>Environmental Protection Noise Regulations</i> apply.

Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the *Guideline: Risk assessments* (DWER 2020).

Note 2: Proposed licence holder's controls are depicted by standard text. **Bold and underline text** depicts additional regulatory controls imposed by department.

3. Consultation

Table 4 provides a summary of the consultation undertaken by the department.

Table 4: Consultation

Consultation method	Comments received	Department response
Licence holder was provided with draft amendment on 30 May 2022	Comments were received on the 14 June 2022 indicating that assessment of the premises name and operating hours were acceptable with a change to the premise name to Nutrien Ag Solutions Fertiliser Pty Ltd.	DWER notes the licence holder's comments.

4. Decision

Based on the assessment in this Amendment Report, the delegated officer has determined to grant amendments to licence L9245/2020/1. The delegated officer determined the premises name and licence holder changes do not change the existing emissions, receptors, or pathways. Therefore, the delegated officer considers that the existing risk profile has not changed, and these amendments did not require further risk assessment.

The delegated officer risk assessed the increase in operational hours (by 1 hour per day) and determined that the risk was low and that the current operational conditions were sufficient. Therefore, the delegated officer has granted this amendment.

References

1. Department of Environment Regulation (DER) 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.
2. Department of Water and Environmental Regulation (DWER) 2020, *Guideline: Environmental Siting*, Perth, Western Australia.
3. DWER 2020, *Guideline: Risk Assessments*, Perth, Western Australia.
4. DWER 2020, *L9245/2020/1, Landmark Operations Limited, Issued 15 June 2020*, Perth, Western Australia
5. DWER 2020, *Decision Report L9245/2020/1, Landmark Operations Limited, Issued 15 June 2020*, Perth Western Australia.
6. Nutrien Ag Solutions Limited 2021, *Application and supporting documents*, Perth, Western Australia.
7. Nutrien Ag Solutions Limited 2022, *L9245/2018/1 Annual Environmental Report and Annual Audit Compliance report for 1 January to 31 December 2021*, Perth Western Australia.
8. Nutrien Ag Solutions Limited 2021, *L9245/2018/1 Annual Environmental Report and Annual Audit Compliance report for 1 January to 31 December 2020*, Perth Western Australia.
9. DWER 24 May 2022, Review of Nutrient Ag Solutions Limited AACR and AER Report for the 2021 reporting period.